



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/824,650

04/14/2004

Ryan Joy

1017-0035-US

7683

34456

7590

11/01/2005

TOLER & LARSON & ABEL L.L.P.
5000 PLAZA ON THE LAKE STE 265
AUSTIN, TX 78746

EXAMINER

PREVIL, DANIEL

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/824,650

Applicant(s)

JOY ET AL.

Examiner

Daniel Previl

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 10-20, 30, 32-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-20, 30 and 32-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/29/04: 8/20/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communication filed on August 22, 2005.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 10-20, 30, 32-42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Fasack et al. (US 4,823,290) in view of Ragle et al. (US 6,195,018).

Regarding claim 1, Fasack discloses a sensor pod (fig. 1) comprising: a housing (fig. 1); a temperature sensor (col. 3, line 19); a humidity sensor (col. 3, line 19); airflow sensor (col. 3, line 19); an external sensor interface (door sensor) (col. 3, lines 20-22); a processing circuitry located within the housing (processor 18) (fig. 1); the temperature sensor, the humidity sensor, the airflow sensor and the external sensor interface being responsive to the processing circuitry (fig. 1); a universal serial bus (USB) interface (sensor interface device 10) (fig. 1; ref. 10; col. 3, lines 13-16), the USB interface (SID 10) (fig. 1, ref. 10) configured to provide access to measured data associated with the temperature sensor, the humidity sensor, the airflow sensor and the external sensor interface (fig. 1; col. 3, lines 7-26).

Fasack discloses all the limitations above but fails to explicitly disclose a memory responsive to the processing circuitry and including a static identification number and the measured data associated with the static identification number.

However, Ragle discloses a memory responsive to the processing circuitry and including a static identification number (identifying code) (col. 7, lines 24-31) and the measured data associated with the static identification number (col. 7, lines 24-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ragle in Fasack. Doing so would have provided the system with the capability of maintaining efficiently environmental conditions and energy consumption thereby minimizing energy consumption and energy cost for the economical purposes as taught by Ragle (col. 1, lines 4-28).

Regarding claims 2, 32, Fasack discloses a second temperature sensor located external to the housing, wherein the temperature sensor and the humidity sensor are located in the internal to the housing (other types of sensor may monitor other conditions) (col. 3, lines 20-26).

Regarding claims 3, 33, Fasack discloses an audio sensor (bell 52) (col. 10, lines 23-25).

Regarding claims 4, 36, Fasack discloses the processing circuitry is configured to determine a dew point (temperature sensor, humidity sensor) (fig. 1).

Regarding claim 10, Fasack discloses a sensor device (fig. 1) comprising: processing circuitry (processor 18) (fig. 1); at least one sensor (temperature sensor) coupled to the processing circuit (fig. 1); a serial data interface (SID 10) (fig. 1, ref. 10) coupled to the processing circuitry (fig. 1) , memory responsive to processing circuit (col. 4, lines 13-17 and lines 51-54) and sensed data measured with at least one sensor from the memory (col. 3, lines 4-46).

Fasack discloses all the limitations above but fails to explicitly disclose the memory including a static unique identification number wherein the serial data interface provides access to retrieve the static unique identification number.

However, Ragle discloses the memory including a static unique identification number wherein the serial data interface provides access to retrieve the static unique identification number (col. 7, lines 24-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ragle in Fasack. Doing so would have provided the system with the capability of maintaining efficiently environmental conditions and energy consumption thereby minimizing energy consumption and energy cost for the economical purposes as taught by Ragle (col. 1, lines 4-28).

Regarding claims 11, 35, Fasack discloses one sensor is selected from the group consisting of a temperature sensor, a humidity sensor, an airflow sensor and an audio sensor (fig. 1).

Regarding claims 12-14, Fasack and Ragle disclose all the limitations in claim 10 and Ragle further discloses static unique identification number is used to maintain data integrity in the event of a change in an address associated with the serial data interface (col. 7, lines 24-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ragle in Fasack. Doing so would have provided the system with the capability of maintaining efficiently environmental conditions and energy consumption thereby minimizing energy consumption and energy cost for the economical purposes as taught by Ragle (col. 1, lines 4-28).

Regarding claims 15, 34, Fasack discloses the serial data interface includes a USB interface (SID 10) (fig. 1, ref. 10).

Regarding claim 16, Fasack discloses the processing circuitry is configured to measure a dew point (fig. 1).

Regarding claim 17, Fasack discloses an external sensor interface coupled to the processing circuitry (door sensor) (col. 3, lines 20-26).

Regarding claim 18, Fasack discloses external sensor interface is coupled to a moisture sensor (fig. 1, col. 3, lines 7-26).

Regarding claim 19, Fasack discloses an card-edge serial interface (SID 10) (fig. 1, ref. 10).

Regarding claim 20, Fasack discloses an internal humidity sensor responsive to the processing circuitry and internal to a housing; an internal

temperature sensor responsive to the processing circuitry and internal to a housing; and an external temperature sensor responsive to the processing circuitry and external to a housing (fig. 1-fig. 2).

Regarding claims 30, Fasack discloses a sensor device (fig. 1) comprising: a temperature sensor, humidity sensor; airflow sensor (fig. 1; col. 3, lines 13-20); processing circuitry (processor 18) (fig. 1) responsive to the temperature sensor, the humidity sensor and the airflow sensor (fig. 1; col. 3, lines 13-20) and a serial data interface (SID 10) (fig. 10) coupled to the processing circuitry (processor 18) (fig. 1).

Fasack discloses all the limitations above but fails to explicitly disclose the memory including a static unique identification number, the processing circuitry configured to associate the static identification number with the sensor data retrieved from at least one of the temperature sensor, the humidity sensor and the airflow sensor.

However, Ragle discloses the memory including a static unique identification number, the processing circuitry configured to associate the static identification number with the sensor data retrieved from at least one of the temperature sensor, the humidity sensor and the airflow sensor (col. 7, lines 24-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ragle in Fasack. Doing so would have provided the system with the capability of maintaining

efficiently environmental conditions and energy consumption thereby minimizing energy consumption and energy cost for the economical purposes as taught by Ragle (col. 1, lines 4-28).

Regarding claim 37, Fasack discloses the temperature sensor is a digital temperature sensor (col. 3, lines 56-59).

Regarding claim 38, Fasack discloses the temperature sensor is analog and further comprising an analog-to-digital converter (col. 3, lines 53-59).

Regarding claim 39, Fasack discloses an external sensor interface coupled to the processing circuitry (fig. 1; col. 3, lines 20-26).

Regarding claim 40, Fasack discloses the external sensor interface is coupled to door sensor (col. 3, lines 20-26).

Regarding claim 41, Fasack discloses the external sensor interface is coupled to a moisture sensor (fig. 1; col. 3, line 59).

Regarding claim 42, Fasack discloses a display (visual alarm 22) coupled to the processing circuitry 18 (fig. 1).

Response to Arguments

3. Applicant's arguments with respect to claims 1-4, 10-20, 32-42 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Canada et al. (US 6,138,078) discloses a machine monitor with tethered sensors.

Tinsley et al. (US 6,681,787) discloses a system and method of operation of a digital mass flow controller.

Budike, Jr. (US 6,311,105) discloses a multi-utility energy control system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is (571) 272-2971. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

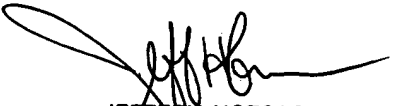
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/824,650
Art Unit: 2636

Page 9

Daniel Previl
Examiner
Art Unit 2636

DP
October 17, 2005.



JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600